

United States District Court
For the Northern District of California

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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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9 BARRY BROWN, JENNIFER BROWN,) Case No. 13-cv-01451-SC
10 JANE DOE 1, and JANE DOE 2,)
11 Plaintiffs,) ORDER DENYING MOTION TO
12 v.) WITHDRAW
13 JON ALEXANDER, DEAN WILSON, ED)
14 FLESHMAN, and COUNTY OF DEL)
15 NORTE,)
16 Defendants.)
17 _____)

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19 Now before the Court is Plaintiffs' counsel's motion to
20 withdraw. ECF No. 80 ("Mot."). The motion is unopposed, and the
21 Court finds it suitable for disposition without oral argument
22 pursuant to Civil Local Rule 7-1(b). The motion is DENIED.

23 Civil Local Rule 11-5(a) prohibits counsel from withdrawing
24 from an action until (1) the Court has issued an order permitting
25 the withdrawal, and (2) written notice has been given reasonably in
26 advance to the client and to all other parties. Attorneys Thomas
27 N. Petersen and Seth L. Goldstein currently represent all four
28 plaintiffs: Jennifer Brown, Barry Brown, and Jane Does 1 and 2.

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1 Jane Does 1 and 2 are Ms. Brown's minor children. Mr. Petersen and
2 Mr. Goldstein seek only to withdraw as counsel for Ms. Brown and
3 Jane Does 1 and 2; they will remain as counsel for Mr. Brown. Mr.
4 Petersen and Mr. Goldstein have apparently reached an impasse with
5 Ms. Brown regarding the prosecution of this case. Mot. at 1.

6 Mr. Petersen and Mr. Goldstein have given Ms. Brown oral and
7 written notice of their intention to withdraw. Id. at 2. They
8 have also provided case files to another attorney prepared to
9 represent Ms. Brown and her children. See id. at 2. However, no
10 other attorney has appeared in this case to represent Ms. Brown or
11 her children, and there is no indication that they have agreed to
12 proceed pro se. Especially given the fact that two of the
13 plaintiffs are minor children, the Court finds it inappropriate for
14 Mr. Petersen and Mr. Goldstein to withdraw until substitute counsel
15 has appeared. The motion to withdraw is therefore DENIED. Mr.
16 Petersen and Mr. Goldstein may file a Notice of Change in Counsel
17 once substitute counsel has appeared to represent Ms. Brown and
18 Jane Does 1 and 2.

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20 IT IS SO ORDERED.

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22 Dated: May 12, 2015


23 UNITED STATES DISTRICT JUDGE
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